

**REMARKS**

This responds to the Final Office Action mailed on September 22, 2006, and the references cited therewith.

Claims 1, 3, 4, 14, 18, 30, 31 and 34 were amended; claims 2, 20, 32, and 33 are canceled; as a result, claims 1, 3-19, 21-31 and 34 are now pending in this application.

**§103 Rejection of the Claims**

Claims 1, 3-19, 21-31 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Conklin et al. (U.S. 6,141,653; hereinafter Conklin) in view of eBay (<http://web.archive.org/web/19991122070012/pages.ebay.com/forum/feedback>, via the Wayback Machine archive, published 11/10/1999; hereinafter Forum) in view of FAQ (<http://web.archive.org/web/19991122031437/http://pages.ebay.com/help/basics/f-feedback.htm#3>, via the Wayback Machine archive, published 11/10/1999; hereinafter FAQ).

Applicants respectfully submit that claims 1, 3-19, 21-31 and 34 should not be rejected under 35 U.S.C. § 103 for the reason that prior art references when combined do not teach or suggest all of the claim limitations of the independent claims of the present application. Further Applicants do not admit that Conklin, Forum, or FAQ is prior art, and reserve the right to swear behind Conklin, Forum or FAQ at a later date. Nevertheless, Applicants respectfully submit that the claims are distinguishable over Conklin in combination with Forum in combination with FAQ for the reasons set out below.

To establish a **prima facie case of obviousness**, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

Claim 1 includes the following limitations:

...receiving at the network-based transaction facility, the feedback information provided by the first user through the single feedback interface, for each of at least the first and second transactions

...the first transaction comprising a first completed transaction in which the first user participated with a second user, the second transaction comprising a second completed transaction in which the first user participated with a third user;

The Final Office Action, in rejecting claim 1, contends that the above limitation is taught or suggested by Forum and FAQ. Forum and FAQ describe a Feedback Forum. Applicants note that Forum states the following:

**Why is the Feedback Forum One of Your Most Valuable Tools?**

Every eBay user has a Feedback Profile made up of comments from other traders – an official “reputation.”

If you’re a buyer, checking a seller’s Feedback Profile before you make bid is one of the smartest and safest moves you can make. ....

If you’re a seller, reviewing Feedback Profiles can be helpful, too. ....

**1. Leave Feedback about an eBay user**

You can leave a brief comment for any eBay user. Most **members leave messages about a buy or sell transaction**, but you can leave a note about anything.

Forum, page 1 (emphasis in the original).

The above quotes from Forum describe a Feedback Forum that includes multiple Feedback Profiles. Each Feedback Profile is for a single eBay user and every eBay user has a Feedback Profile. The Feedback Profile may be used to leave messages about transactions or anything. For example, one user may leave a message for another user by entering the message in the user’s Feedback Profile.

Claim 1 requires receiving feedback information through a single feedback interface for a first transaction and a second transaction, the first transaction comprising a first completed transaction in which the first user participated with a second user, the second transaction comprising a second completed transaction in which the first user participated with a third user. One example embodiment of the above quoted limitations of claim 1 may include a feedback interface 110, illustrated as follows:

User ID	Item#	Item	Ended
230 skippy1 (-45)	226164216	1933 Gouday # 220 Lefty Grove	01/10 23:10
pete1 (-45)	226164217	Book - War and Peace	01/9 23:10
mark1 (-45)	226164218	Beanie Baby	01/12 8:00

Is your comment positive, negative, or neutral?  positive  negative  neutral  Don't leave feedback now

Your comment (max. 80 characters)

Leave Feedback for all selected items on this page <Previous Items More Items>

FIG. 10

Figure 10, present application.

The **Figure 10** shows the single feedback interface 110, according to one embodiment. The example single feedback interface 110 facilitates user input of feedback information. The example single feedback interface 110 is shown to facilitate user input for three completed transactions. Specifically, the example single feedback interface 110 exemplifies the facilitation of user input for a first completed transaction between a user and "skippy1," the facilitation of user input for a second completed transaction between the user and "pete1," and the facilitation of user input for a third completed transaction between the user and "mark1."

In contrast, Forum and FAQ fail to teach or even suggest the quoted limitations of claim 1. Specifically, Forum describes a Feedback Forum for leaving comments or messages in a Feedback Profile associated with a specific user. Accordingly, a user would be required to access different Feedback Profiles to leave messages for different users. Clearly accessing different Feedback Profiles to leave feedback for different users is not the same as receiving the feedback information through a *single* feedback interface for a first completed transaction in which the first user participated with a second user and a second completed transaction in which the first user participated with a third user. Indeed, the Feedback Forum, as described above, has the disadvantage of requiring the sending user to advance through a series of interfaces to locate the Feedback Profile of a recipient user to send comments or messages to the recipient user.

Forum in combination with FAQ therefore cannot be said to teach or suggest the above quoted limitations from claim 1 because Forum in combination with FAQ describe leaving messages in a Feedback Profile for a single user and claim 1 requires receiving feedback information through a *single* feedback interface for a first transaction and a second transaction, the first transaction comprising a first completed transaction in which the first user participated with a second user, the second transaction comprising a second completed transaction in which the first user participated with a third user.

Conklin describes systems for creating sponsored communities over a network such as the Internet to enable iterative, multivariate negotiations. Conklin fails to teach or suggest receiving feedback information through a single feedback interface for a first transaction and a second transaction.

The above remarks are also applicable to a consideration of independent claims 18, 30, 31, and 34.

In addition, if an independent claim is nonobvious under 35 U.S.C. § 103 then, any claim depending therefrom is nonobvious and rejection of claims 3-17, 19 and 21-29 under 35 U.S.C. § 103 is also addressed by the above remarks.

In summary, Conklin in combination with Forum in combination with FAQ does not teach or suggest each and every limitation of claims 1, 18, 30, 31 and 34 as required to support rejections of the independent claims of the present application under 35 U.S.C. § 103.

**CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at 408 278-4045 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7 day of November, 2006.

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